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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant: James Cheatham, et al.

Serial No: 08/902,449

Filed: July 29, 1997

For: ONE PIECE SKATE CHASSIS

Art Unit: 3612

Examiner: Clovia Hamilton

**DECLARATION BY KIRPAL S. CHHOKAR**

I, Kirpal S. CHHOKAR declare that:

1. I am the Operations Manager at Eagle Eye Calibration Laboratories, 9960 Canoga Avenue, No. D5, Chatsworth, California, 91311.

2. From 1965 until 1969 I was in an four year, full term trade apprenticeship in tool and die making with Tata Engineering and Locomotive Company, in Jamshedpur, India. Tata has manufactured Mercedes trucks since 1954, and I learned tool and die making in that context. During that time I became familiar with various metal forming techniques and processes, such as punching, pressing, forming, coining and machining.

3. From 1970 through 1974 I studied Mechanical Engineering at the Singhbhum Institute of Technology, Jamshedpur, India. In 1974 I received the Diploma in Mechanical Engineering from the

government of Bihar, India.

4. From 1974 to present I have continuously held various positions, such as in quality control and which required me to have knowledge of various metal forming processes.

5. On July 29, 1998, I was shown, and I examined three metal skate chassis, each of which had a series of holes for location and positioning of wheel axles. I was also shown, and read a document entitled "Written Record of Examiner's Interview of June 12, 1998". I recognize the three skate chassis as three of the five skate chassis shown in the Exhibit 2 photograph.

6. Upon examination of the three skates chassis, I recognized that the silver skate chassis shown in the foreground of the Exhibit 2 photograph had punched holes and plastic, cylindrical inserts. I was informed that these inserts were called "spacers" and functioned to space the wheels between the sides of the chassis.

7. Upon examination of the silver skate chassis shown in the center of the Exhibit 2 photograph, I observed a number of holes and adjacent to each hole was a raised, flat surfaced projection. I have been informed that these raised surfaces are referred to as "spacers" and that in an in-line skate, the spacers function to properly space the wheels between the walls of the

chassis. I recognized that the holes were made by a coining process. As a result of that process, the raised, flat annular surface, and the protrusion of metal from the chassis wall to the raised, flat annular surface is significantly stronger than the original metal.

8. Upon examination of the black skate chassis shown at the top of the Exhibit 2 photograph, and as shown in close up in the photograph of Exhibit 1, it appears that these holes were formed by a two-step operation in which the first step was a pierced hole step. The second step appears to have been by use of a forming punch. I am certain that the holes and the surrounding edges of the holes were not coined. As a result of the two-step process, the metal near the edge of the holes is not nearly as supportive as the coined spacers of the silver chassis. Also, the metal that defines the edges of the holes in the black metal chassis is not precise in diameter and height, and does not have a flat, annular surface. As such and in comparison to the coined spacers of the silver, metal skate chassis, it will not function, during use, nearly as well as the metal of the coined spacers. I am certain that the edges around the holes in the black chassis will wear faster than the edges of the coined spacers of the silver metal chassis, and that, during use this

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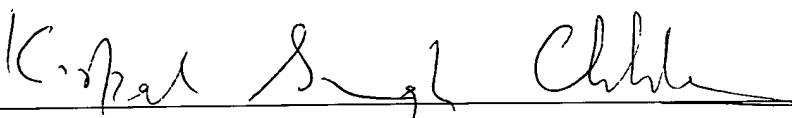
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wear will result in wheel side play, which in turn will reduce the speed and controllability of the skate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF DECLARANT: KIRPAL S. CHHOKAR



(Declarant's Signature)

DATE: 07 29 98